

### REMARKS

Applicant requests allowance of the subject application. Claims 1-5, 7-29, and 31-36 are pending. As described herein and in previous responses, none of the references of record, either individually or in combination, teach or suggest a live television broadcast displayed via a primary display screen through a Web browser program, such as recited in the pending independent claims.

This being the 12<sup>th</sup> Response to at least the 10<sup>th</sup> combination of references cited by the Office, Applicant requests that the §103 rejections be withdrawn, and that pending claims 1-5, 7-29, and 31-36 be allowed.

## **35 U.S.C. §103 Claim Rejections**

**A.** Claims 1-5, 7-29, and 31-35 are rejected under 35 U.S.C. §103(a) for obviousness over U.S. Patent No. 5,398,074 to Duffield *et al.* (hereinafter, “Duffield”) in view of U.S. Patent Publication No. 2004/0010804 to Hendricks *et al.* (hereinafter, “Hendricks”) (Office Action p.2).

**B.** Claim 36 is rejected under 35 U.S.C. §103(a) for obviousness over Hendricks in view of Duffield (*Office Action* p.7). Applicant respectfully traverses the rejections.

**Claim 1** recites a method of displaying recently accessed television channels comprising “displaying a live television broadcast via the primary display screen through a web browser program.” Duffield and/or Hendricks do not teach or suggest displaying a live television broadcast via the primary display screen through a Web browser program, as recited in claim 1.

1       The Office recognizes that Duffield does not disclose displaying a live  
2 television broadcast through a Web browser program, as recited in claim 1 (*Office*  
3 *Action* p.2). Duffield only describes a television for multiple picture display of  
4 television channels. There is no indication of a Web browser program in Duffield,  
5 nor is there even a suggestion of a computing device or system that would possibly  
6 support the implementation of a Web browser program in Duffield.

7       Hendricks describes that television signals are received by a television  
8 receiver and fed through a Web site to the streamed output (*Hendricks ¶[0066]*).  
9 Hendricks also shows that television programming can be selected from a Web  
10 page for viewing, such as from user-selectable control 410 on Web page 400  
11 (*Hendricks* Fig. 11; ¶[0133]).

12      However, Hendricks does not teach or suggest that live television is  
13 displayed through a Web browser program, as the Office indicates (*Office*  
14 *Action* p.2). Initially, there is no statement of a “Web browser” anywhere in  
15 Hendricks. Further, if a user were to select the user-selectable control 410 on Web  
16 page 400 to select live television (Fig. 11), then a menu 440 (Fig. 13) is displayed  
17 from which live television can be selected for viewing (*Hendricks ¶[0136]*). If  
18 selected from menu 440, then another menu 450 (Fig. 14) shows that live video is  
19 displayed from various cameras (*Hendricks ¶[0138]*).

20      Again however, there is no indication in Hendricks that the live video  
21 shown in menu 450 (Fig. 14) is displaying a live television broadcast through a  
22 Web browser program, as recited in claim 1. The Office infers that the menu 450  
23 in Hendricks is a “web page”, even though there is nothing stated to indicate as  
24 such in Hendricks (*Office Action* p.2). Further, the Office does not provide any  
25 basis to reject “displaying a live television broadcast via the primary display

1 screen through a web browser program”, as recited in claim 1. Rather, the Office  
2 only cites to Hendricks for teaching live video presented on a Web page (*Office*  
3 *Action* p.2). There is no stated rejection for displaying a live television broadcast  
4 through a Web browser program, as recited in claim 1.

5 Further, Applicant respectfully disagrees with the Office that it would have  
6 been obvious to modify the system of Duffield with Hendricks (*Office Action* p.3).  
7 There is no indication of a Web browser program in Duffield, nor is there even a  
8 suggestion of a computing device or system that would possibly support the  
9 implementation of a Web browser program in Duffield. Further, there is no  
10 indication in Hendricks of displaying a live television broadcast through a Web  
11 browser program. As such, there is no motivation to combine Hendricks with  
12 Duffield.

13 Accordingly, claim 1 along with dependent claims 2-5 and 7-19 are  
14 allowable over the Duffield-Hendricks combination for at least any one of the  
15 reasons described above, and the §103 rejection should be withdrawn.  
16

17 **Claim 8** recites “enlarging the active small display screen to full-screen  
18 mode and removing the remaining small display screens”. The Office recognizes  
19 that “Duffield does not disclose removing the remaining secondary video  
20 pictures”, and takes Official Notice that the recited feature(s) are well known  
21 (*Office Action* p.3).

22 Applicant disagrees because the allegedly well known facts are not capable  
23 of “instant and unquestionable demonstration,” as required to make a rejection  
24 based on Official Notice (*see MPEP § 2144.03(A)*). As the Examiner is likely  
25 aware, Applicant is required to challenge statements that are not supported on the

1 record, and failure to do so will be construed as an admission by the Applicant that  
2 the statement is true (M.P.E.P. §2144.03). Therefore, the Examiner is requested to  
3 cite a reference supporting the position that it would have been obvious for  
4 “enlarging the active small display screen to full-screen mode and removing the  
5 remaining small display screens”, as recited in claim 8. If the Examiner is unable  
6 to provide such a reference, and is relying on facts based on personal knowledge,  
7 Applicant hereby requests that such facts be set forth in an affidavit from the  
8 Examiner under 37 C.F.R. 1.104(d)(2). Absent substantiation, the §103 rejection  
9 should be withdrawn.

10

11 Independent **Claims 20, 26, and 33-35** recite a similar feature of displaying  
12 a live television broadcast via the primary display screen through a web browser  
13 program. For at least the reasons described above in the response to the rejection  
14 of claim 1, independent claims 20, 26, and 33-35 are allowable over the  
15 Duffield-Hendricks combination and the §103 rejection should be withdrawn.

16 In addition, claims 21-25 are allowable by virtue of their dependency upon  
17 claim 20 (either directly or indirectly), and claims 27-28 are allowable by virtue of  
18 their dependency upon claim 26. Similar to claim 8, Applicant also requests the  
19 Examiner to cite a reference supporting the position that it would have been  
20 obvious for “enlarging the active small display screen to full-screen mode and  
21 removing the remaining small display screens”, as recited in claim 21.

22

23 **Claim 29** recites that the primary display screen comprises a live television  
24 broadcast displayed through an interactive display environment including World  
25 Wide Web content. Duffield and/or Hendricks do not teach or suggest a live

1 television broadcast displayed through an interactive display environment  
2 including World Wide Web content, as recited in claim 29. Further, for at least  
3 the reasons described above in the response to the rejection of claim 1, claim 29  
4 along with dependent claims 31-32 are allowable over the Duffield-Hendricks  
5 combination and the §103 rejection should be withdrawn.

6

7 **Claim 36** recites the primary display screen capable of displaying a live  
8 television broadcast through a web browser program. For at least the reasons  
9 described above in the response to the rejection of claim 1, claim 36 is allowable  
10 over the Duffield-Hendricks combination and the §103 rejection should be  
11 withdrawn.

12

13 **Conclusion**

14 Pending claims 1-5, 7-29, and 31-36 are in condition for allowance and  
15 Applicant requests issuance of the subject application. If any issues remain that  
16 preclude issuance of this application, the Examiner is urged to contact the  
17 undersigned attorney before issuing a subsequent Action.

18

19 Respectfully Submitted,

20 Dated: Dec. 27, 2006

21 By:   
22 David A. Morasch  
Lee & Hayes, PLLC  
Reg. No. 42,905  
23 (509) 324-9256 x 210  
24